[AT] KommAustria to Monitor Advertising

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Following the amendment of Austrian broadcasting laws, KommAustria was entrusted with an important new responsibility at the beginning of August. It will monitor broadcasters' compliance with advertising regulations on a monthly basis and publish its findings "in an appropriate way". The results will be published on the web-site of RTR GmbH.

In August, KommAustria condemned breaches of advertising regulations by three commercial radio broadcasters, by ATV+, the only terrestrial TV operator providing programmes throughout Austria (see IRIS 2004-4: 6), and by Österreichische Rundfunk (ORF). KommAustria gave the broadcasters two weeks to respond to the charges.

If, having examined their responses, KommAustria still believes the law might have been broken, it will instigate administrative court proceedings against the relevant employees of the broadcasting companies concerned. In the case of ORF, KommAustria must report its suspicions to the Bundeskommunikationssenat (Federal Communications Office), the second broadcasting regulator, which will then take official administrative proceedings against the ORF staff concerned. Appeals against the decisions of KommAustria or the Bundeskommunikationssenat can be taken firstly to the Unabhängige Verwaltungssenat Wien (Vienna Independent Administrative Court) and then to the Verwaltungsgerichtshof (Administrative Court) or Verfassungsgerichtshof (Constitutional Court).

Veröffentlichung der Ergebnisse der Werbebeobachtung

http://europa.eu.int/information_society/topics/ecomm/doc/useful_information/library/communic_reports/interoperability_idtv/com_2004_541_de.pdf

Publication of results of advertising monitoring

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